

## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Markus Hecher

Andrea H. Wagner

Serial No.: 10/526,521

Filed: March 1, 2005

For: DECOY-OLIGONUCLEOTIDE-  
INHIBITION OF CD40-EXPRESSION

Group Art Unit: Unknown

Examiner: Unknown

Atty. Dkt. No.: DEBE:054US

## EXPRESS MAIL MAILING LABEL

NUMBER EV 414867145 US

DATE OF DEPOSIT November 8, 2005

**INFORMATION DISCLOSURE STATEMENT****MS PCT**

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R §§ 1.97(g), (h), this Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

The present Information Disclosure Statement is being filed prior to the receipt of a first Official Action reflecting an examination on the merits, and hence is believed to be timely filed in accordance with 37 C.F.R § 1.97(b). No fees are believed to be due in connection with the filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Commissioner is authorized to deduct the appropriate fees from Fulbright & Jaworski Deposit Account No.: 50-1212/DEBE:054US.

Applicant respectfully requests that the listed documents be made of record in the present case.

Respectfully submitted,



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Date: November 8, 2005

Form PTO-1449 (modified)		Atty. Docket No. DEBE:054US	Serial No. 10/526,521
List of Patents and Publications for Applicant's  INFORMATION DISCLOSURE STATEMENT  (Use several sheets if necessary)		Applicant Markus Hecker Andreas H. Wagner	
		Filing Date: March 1, 2005	Group: Unknown
U.S. Patent Documents See Page 1	Foreign Patent Documents See Page 1	Other Art See Page 1	

### U.S. Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date of App.

### Foreign Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No
	B1	DE 100 59 144	07/04/02	Germany			No
	B2	JP 2001 095 573	04/10/01	Japan			Abstract
	B3	WO 95/11687	05/04/95	WIPO			

### Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C1	Ahn <i>et al.</i> , "Transcription factor decoy for activator protein-1 (AP-1) inhibits high glucose-and angiotensin II-induced type 1 plasminogen activator inhibitor (PAI-1) gene expression in cultured human vascular smooth muscle cells," <i>Diabetologia</i> , 44:713-720, 2001.
	C2	Bavendiek <i>et al.</i> , "Induction of tissue factor expression in human endothelial cells by CD40 ligand is mediated via activator protein 1, nuclear factor $\kappa$ B, and Egr-1," <i>J. Biol. Chem.</i> , 277(28):25032-25039, 2002
	C3	GenBank Accession Number J04111
	C4	GenBank Accession Number V01512
	C5	Hecker <i>et al.</i> , "Modulating gene transcription in an endothelial, vascular or cardiac cell, useful for treating vascular proliferative disease comprises contacting the cell with a nucleic acid capable of sequence-specific binding to AP-1 or C/EBP," XP002268675, 2001.
	C6	Jin and Howe, "Regulation of clusterin gene expression by transforming growth factor $\beta$ ," <i>J. Biol. Chem.</i> , 272(42):26620-26626, 1997.
	C7	Lienenlücke <i>et al.</i> , "CD154 stimulation of interleukin-12 synthesis in human endothelial cells," <i>Eur. J. Immunol.</i> , 30:2864, 2000.

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EXAMINER:

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EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

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U.S. Patent Documents <i>See Page 1</i>	Foreign Patent Documents <i>See Page 1</i>	Other Art <i>See Page 1</i>	

### Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C8	Morishita <i>et al.</i> , "A gene therapy strategy using a transcription factor decoy of the E2F binding site inhibits smooth muscle proliferation in vivo," <i>PNAS</i> , 92:5855, 1995.

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